

HUDSON RIVER PCBs PUBLIC PARTICIPATION PROJECT

An Independent Evaluation of Best Practices for Involving Stakeholders in Remedial Design and Remedial Action

Stage 2 Report and Recommendations

Contract 68-W-99-010 Task 0116

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1.0 Introduction

In February, 2002, the U.S. Environmental Protection Agency (EPA) announced its decision to dredge a 40-mile segment of the Hudson River that was contaminated with PCBs from past industrial operations in Fort Edward and Hudson Falls, New York. Later that spring, EPA contracted with the Marasco Newton Group (MNG) of Arlington, Virginia, (hereafter, the MNG Team) to assemble a team of experienced senior public participation professionals to assist in developing a community involvement plan that would help ensure rigorous and meaningful community involvement during the design and implementation of the Hudson River PCBs dredging project.

The MNG Team conducted an independent assessment and developed recommendations in a two-stage process that was designed to give stakeholders¹ a significant amount of input into the plan. This design approach was based on the premise that the most successful community involvement plans are those that are developed with input from the community.

In Stage 1, the MNG Team interviewed a broad spectrum of stakeholders with two objectives:

- 1. to get an understanding of their issues and concerns about the PCBs dredging project, and
- to identify important considerations for developing both effective public information and a rigorous and meaningful community involvement program.

The results of these interviews were compiled in the *Stage 1 Report* in May, 2002. This report is available online at www.marasconewton.com/hudson. In Stage 2, the MNG Team engaged in follow-up dialogue with many of the stakeholders and conducted two public workshops to identify stakeholders' preferred approaches to community involvement. The result of this interaction was to develop the specific recommendations for EPA's community involvement program which are presented in this report.

The Stage 2 Report incorporates public input from the interviews and the two public workshops and provides a series of specific recommendations to EPA. Because of the independent nature of the assessment, this report was not subject to EPA approval. However, the MNG Team did coordinate with EPA to make sure that these recommendations could be implemented within the legal and logistical constraints of the project. The recommendations contained in this report formed the basis of a detailed draft Community Involvement Plan developed by the MNG Team for EPA. The final content of the Community Involvement Plan is solely the decision of EPA and the final Community Involvement Plan will be a product of the EPA and not the MNG Team.

This report presents three important types of recommendations to EPA:

- Principles of rigorous and meaningful public participation which are a result of broad-based stakeholder input and should guide EPA's activities,
- Key Elements for a community involvement program that define the important activities that EPA should undertake, and
- 3. **Recommended approaches** to implement the key elements of the community involvement program.

Most important, EPA should incorporate the principles into its activities and develop a thorough approach to each of the key elements. While we believe that the specific approaches recommended in this report represent the best opportunity for creating a rigorous and meaningful community involvement program, we also recognize there are multiple ways to achieve the principles and the key elements we have identified.

It is not essential that EPA adopt every recommendation presented in this report, nor that they approach every instance with the same level of intensity of community involvement. We recognize that there are both constraints on resources and limits to the potential for public influence on many of the activities related to dredging the Hudson. We also recognize that the commitment EPA is making to community involvement on this project is unprecedented for EPA in a post-Record of Decision activity. EPA has shown a strong desire to develop a community involvement program that results in an informed and involved public. EPA also recognizes the benefits that an informed and involved public would bring to the project. Given EPA's commitment and the significant resources that EPA will be devoting to community involvement, it is essential that those resources be used as effectively as possible. It is with this perspective in mind that we offer the enclosed recommendations.

For the purposes of this project, stakeholders are defined as anyone who feels he or she has an interest in the remediation of the Hudson River.

2.0 What the Public Cares About

The MNG Team's Stage 1 Report summarized the results of over 150 stakeholder interviews and identified the key concerns of the public regarding the PCBs dredging project. The Hudson River PCBs project has long been the center of considerable controversy, and the decision to dredge the Hudson was met with both strong support and strong opposition. Much of this emotion came through in the interview process, and some stakeholders expressed concerns about the selected remedy and the history of community involvement on the project. The MNG Team believes that those issues were fully explored in the Stage 1 Report. The focus of this Stage 2 Report is to identify the best approach for implementing rigorous and meaningful community involvement for the dredging project based on both the public input received and the best professional judgment of the MNG Team. As such, the scope of this report is limited to the design and implementation of the dredging project, and does not address the ongoing discussion among some of the public regarding the decision to dredge.

Two items of greatest importance to the public are:

- 1. access to accurate, timely, and understandable information about the issues that concern them, and
- 2. the opportunity to provide input on the issues which potentially affect their lives.

The Hudson River dredging project is a long-term project that will involve intensive work along a 40 mile stretch of the River. Residents in the vicinity of the project have expressed concerns about impacts to community health, agriculture, river health, the environment, river congestion, boating, traffic, the local economy, tourism, recreation, archaeology, fishing, and jobs. These and other concerns drive their need for information and involvement. EPA recognizes this need and also has expressed its desire to help the public provide informed input to the project.

In designing and implementing a community involvement program that will be described in the Community Involvement Plan, EPA should keep the following needs of the community in mind:

Community members need to clearly understand future decision processes and their potential role in them.

- What is the timing of key decisions and project activities?
- On which aspects of the project will public input be sought and how will that input be used?
- How will key decisions be made?
- What are the roles of the many organizations (local, state and federal government agencies and General Electric (GE) in the project?

Community members need good information on how all aspects of the project will work and the potential for impacts on their lives.

- What will happen?
- When will it happen and where?
- How will the river be affected? For example. what are the potential impacts regarding traffic, noise, and sediment resuspension?
- What types of impacts and activities will occur on shore?
- Where will key facilities be built and how will their operation affect local residents?

Community members need to have regular updates on project progress and on-going access to information.

- What happened this week?
- What will happen next week, next month, over the next few months?
- Which aspects of the project are being implemented and what areas of the river are being affected?
- What is happening on the river where there is activity?

Community members need on-going access to EPA personnel for questions and dialogue.

- Ability to drop in to the field office and ask questions.
- Regular opportunities to engage technical personnel in conversations about issues that are important to them.
- A phone number to call if there is something happening on the river that people do not understand.

Community members need forums in which they can explore their concerns and provide substantive input to EPA.

- Regular informal dialogues with EPA and other project organizations to ask questions and provide input.
- Opportunities for in-depth learning about the project.
- Opportunities for community members to talk among themselves.
- More structured opportunities for community members to seek consensus on important issues.



3.0 — What the Public Wants from EPA – Key Principles for a Rigorous and Meaningful Community Involvement Program

Through the interviews, conversations, and community workshops, a number of common themes emerged as to what the public believes would constitute rigorous and meaningful community involvement. These ideas were compiled by the MNG Team into a draft set of principles that were discussed at the first public workshop. Based on discussion and additional input from participants at that workshop, the MNG Team further refined these principles and presented them back to the public. (See Appendix A for a summary of the first workshop.)

The principles listed below served as a guide for developing the recommendations in this report and should be used to provide overall guidance to EPA in developing and implementing its Community Involvement Plan.

The program must be transparent.

- All aspects of decision-making for the project should be clearly identified and understandable to all stakeholders.
- Transparency means that the public can easily obtain information about the project's decisionmaking process.
- Transparency is the key to a successful community involvement program for the dredging project.

The program must be meaningful.

- Involvement must focus attention on tasks and issues where there is a potential for public input to have a tangible influence on decisions to be made.
- The process must show results.
- EPA must follow through on commitments made and decisions reached.

Participation must be adequately supported, especially with key information.

- Participants need to be informed in a timely fashion about issues, meetings, and decisions so they can prepare themselves to participate in a meaningful way.
- Participants need sufficient technical information (written in plain language) and provided early enough so that participants can assimilate it and use it in the public involvement process

The program must be responsive.

- Participation must involve structures (committees, work groups, advisory groups) that support community involvement without being too cumbersome.
- The process must provide feedback to stakeholders concerning how input was considered and how it was used or not used in the decisions that were made.
- Sufficient time must be made available to consider public input prior to final decision making.

The program must be flexible.

- The process should include a wide variety of approaches and strategies for involvement.
- EPA should evaluate its participation efforts throughout the project and revise its approaches as needed.

Participation must be appropriate to the decisions being made.

- Outcomes will be seen as legitimate only if there is sufficiently broad participation.
- Stakeholders who are concerned about an issue should have access to information and the ability to contribute to that issue.

Participants' roles and responsibilities must be clear.

 It must be made clear on which issues EPA will provide opportunities for direct public input, and on which issues EPA will not provide formal opportunities for input. Regardless of opportunity for input, EPA will share information and keep stakeholders informed on all issues of importance to the community.

4.0 - An Approach to Rigorous and Meaningful Community Involvement on the Hudson River PCBs Project

This section is organized to present recommendations regarding key elements of an effective community involvement program. Each element is followed by specific recommendations for how that element should be implemented or documented within the Community Involvement Plan.

In keeping with the desires and needs of the community, the MNG Team recommendations focus on broad-based opportunities for disseminating project information and informal opportunities for interaction between the public and EPA staff. As work on this community involvement effort progressed, these ideas have been discussed with EPA. EPA has already begun to implement a number of these recommendations as well as other important efforts to reach out to the community. This report describes a broad set of activities that EPA can use to build on the base they have already established.

We recommend that EPA distribute information broadly and provide a variety of opportunities for public dialogue. It is important to recognize that not all activities will need to be implemented for all aspects of the project. EPA should use its discretion to implement community involvement activities that are consistent with the importance of the issue to the community, the opportunity for the public to actually influence decision-making, and the need to keep the project moving forward in a reasonable timeframe.

While stakeholders all along the 200 miles of the Hudson River site are interested in the implementation and outcome of the dredging project, it is the stakeholders along the 40 miles of the Upper Hudson River where dredging will occur who will be most affected by this project. EPA's Community Involvement Program needs to specifically recognize the needs of the communities that will be most affected and be sure that they are being provided the level of information, access, and input commensurate with any potential impacts.

There are many specific recommendations presented in this section. While we believe that these recommendations represent the best opportunity for creating a rigorous and meaningful community involvement program, we also recognize there are multiple ways to achieve the principles identified in Section 3.0. We have organized the specific recommendations into six key elements. Designing a community involvement plan that addresses each of these six elements will address the community needs identified in the principles.

Key Element #1. **EPA Must Identify Specific Community Involvement Goals**

To be responsive to the recognized need for community information and input regarding the design and implementation of EPA's selected remedy for the Hudson River PCBs site, EPA must establish specific goals for its community involvement program. These goals should guide EPA's actions and will help to provide all stakeholders a common understanding of what to expect.

RECOMMENDATIONS FOR IMPLEMENTING **ELEMENT #1**

EPA's goals should address key aspects of how they will provide information to the public, how and where the public will be provided input to decisions, and how EPA will take public input into consideration. The MNG Team offers the following suggested language for EPA goals. These goals should appear prominently in the Community Involvement Plan and other documents designed to assist the public in understanding the purpose and constraints on community involvement.

- 1. EPA will provide the public with the information needed to understand the project as it proceeds. The public will be provided with information that enhances their understanding of the project. This means that materials that are developed will be accurate, concise and easy-to-understand. For issues on which EPA is seeking public input, this information will be provided to the public before decisions are made, or actions are taken, so that the public can understand upcoming events. Information will reflect the most current activities that are taking place and how these activities fit into the larger framework of the cleanup effort. Because EPA and GE are not the only entities involved in the dredging project, EPA will make every reasonable effort to coordinate with other agencies and organizations to ensure that stakeholders have a comprehensive picture of the project and its status.
- 2. EPA will provide the public with opportunities to give informed and meaningful input. While many key decisions have already been made as part of the Record of Decision, there are some issues for which important decisions are still to be made. EPA will provide stakeholders with appropriate forums through which they can provide their input. These forums will vary depending on the type of input EPA is seeking and the level of potential influence the public will have on a particular decision, but will always provide the public an opportunity for direct interaction with EPA staff.

- 3. In cases where public input is being sought, EPA will ensure that there is sufficient time for EPA to consider public input before final decisions are made. Although EPA has committed to an ambitious schedule for the Hudson River dredging project and is working to implement the dredging project in the desired timeframe, EPA is committed to a pace that makes rigorous and meaningful public involvement possible. On decisions and activities that provide opportunities for public input, EPA will ensure that the public has adequate time and opportunity to provide input, and for that input to be considered, before final decisions are made. This review time will take into account the amount and complexity of the information among other factors that may apply.
- 4. EPA will seek to understand, respect and give full consideration to public input. Beyond allowing the public to provide input on important decisions, EPA will seek to demonstrate that it has heard this input. As part of its decision-making, EPA will identify where public input influenced the decision making process. This does not mean that EPA will adopt all public opinions and recommendations, but that EPA will make every effort to explain how the input was considered and used (or why it was not used) in the decisions that are made. While a formal responsiveness summary will not be prepared, feedback will be provided to the public through the variety of communication vehicles established as part of EPA's community involvement program.

Key Element #2.

EPA Must Provide the Public with the Information it Needs to Understand the Project and to Provide Meaningful Input.

EPA must recognize and respond to the community's need for information and for opportunities for public input regarding the design of the dredging project. EPA must create balanced, accurate, and understandable information and make that information accessible in a timely manner to all who seek it. Information should be provided to the public throughout the project that reflects current activities and how those activities fit into the larger framework of the cleanup effort. EPA should also coordinate with other agencies that are conducting PCB-related activities to help assist stakeholders in gaining a full understanding of issues.

RECOMMENDATIONS FOR IMPLEMENTING ELEMENT #2

- A project "roadmap" should be developed that identifies and describes the inter-relationship of major project elements, their sequencing, timing, and when and how project decisions will be made. A summary version should be developed to describe the entire project and highlight key opportunities for community involvement. Roadmaps of individual project elements should also be prepared to show project details. These roadmaps should be prominently displayed at information repositories, on EPA's web site, at all public events, and other venue where the public is likely to seek project information.
- EPA should provide regular project updates and quarterly progress reports to all stakeholders.
 Updates should summarize progress, describe upcoming events, explain issues or challenges that are being addressed, announce opportunities for public input, and explain where to find more detailed information. Updates should answer key public questions in "plain language" and help people understand the dredging project as it proceeds.
- EPA should make every effort to post electronic copies of all updates, newsletters, and major technical reports on the EPA web site within two business days of their release. (If it is not possible to post quickly, EPA should place a notice of their publication and when copies will be posted). New postings should be shared with the public through the listserv and other forms of announcement, at other public venues, through bulletin board postings, through notices in newsletters, and noted prominently on the home page of EPA's Hudson River web site.
- Fact Sheets should be developed to assist the public in understanding all of the important components of the project. Fact sheets should be developed in a consistent, graphics-rich format that uses easy to understand language and provides specific and useful information. When feasible and appropriate, stakeholders should be asked to review draft fact sheets to ensure that the information meets the needs of the public. These fact sheets should be reviewed and updated as needed by EPA staff on a regular basis (at least every six months) to

ensure that the latest information is available on all topics. At a minimum, fact sheets should be developed on the following topics:

- Basic Project Description: provides an overview of the project, its history, and what can be expected
- Record of Decision: provides a summary of key decisions made in the Hudson River PCB Project Record of Decision
- Community Involvement: provides an overview of community involvement opportunities and how to access EPA information
- Fact Sheets for each of the Key Project **Activities** including at a minimum:
 - Sampling process and dredging area delineation
 - Sediment processing facility siting
 - Performance standards, quality of life (What they are, how they will be developed and used)
 - Performance standards, engineering (peer reviewed). (What they are, how they will be developed and used)
 - Dredging technology selection
 - Assessment of the project's impacts on cultural resources
 - Transport and disposal of dredged material
 - Peer review process
 - Dredging Performance Monitoring Program
 - Habitat replacement/backfill plans.
- Q&A Summaries: with responses to frequently asked questions. EPA should identify important and common public questions and develop responses for wide availability to stakeholders.
- Progress Tracking: with frequently updated, standard graphics that help stakeholders track project progress
- EPA should develop easy-to-understand summaries (2-3 pages) of major technical reports and key decision documents pertaining to the issues that are most important to the public. These summaries should provide an overview of the document explaining its purpose, how it is organized, its key points, and how public input contributed to its development.

- EPA should develop maps showing the anticipated location of dredging, current land uses, bridges, locks and other community landmarks, and important cultural and environmental resources. Where feasible and useful to enhance public understanding, photographs should be used in conjunction with maps to help orient people to project locations.
- EPA should continue to develop graphic displays, exhibits, posters, hands-on demonstrations, and models that portray information relevant to major project issues and explain key aspects of the dredging project. This material should be brought to community events (e.g., fairs and festivals) to display project information and provide answers to public questions.
- EPA should develop and maintain a glossary that defines frequently used terms in a manner that is understandable to the general public to ensure that everyone is "speaking the same language".
- EPA should maintain an up-to-date database of addresses, email, and fax numbers for distribution of updates.
- EPA should evaluate repository locations to make efficient use of community involvement resources (many of the existing repositories are not being used regularly and are expensive to maintain, while others are no longer available). The MNG team recommends maintaining four to six repositories distributed along the full 200 mile site, that provide access to hard copies of documents. Repositories should at a minimum be located in upriver, mid-river, and lower-river communities to ensure that information is available along the length of the Superfund site. Possible locations include Ft. Edward, Glens Falls, Saratoga Springs, Albany, Poughkeepsie, and New York City. Other existing repositories should be converted to information sites where individuals can access information via internet or CD-ROMs.
- EPA should coordinate with county, town and village offices, libraries, and community organizations throughout the project area to serve as information sites for the project. These sites should be provided with instructions for accessing information through the web site or should be provided with CD-ROMs containing site information. Information sites should be notified as soon as is feasible as updates and other new information becomes available.

- EPA should ensure that all field activities are well marked, provide explanatory signage, and clearly post any restrictions on public access to the river or project sites.
- EPA should provide regular updates to local newspapers, radio, and television media and encourage them to further distribute the information on a regular basis. Use of local community newspapers and local access cable channels will increase the chances of people seeing the information and reduce the overall cost of this effort.
- Public events should be publicized using regular updates, press releases to local newspapers and other media, liaisons with local groups, electronic listserv, and the EPA Hudson River web site. Notice of these events should appear at least two weeks prior to the event whenever possible.

- they need to develop classroom activities and ways to leverage existing information for use in the classroom. Periodic teacher seminars or workshops is one approach. Student internships and other opportunities could also be explored to provide opportunities for students to work directly on the project.
- EPA should explore the use of videos as a means of portraying field activities and site progress to a broad audience.
- EPA should provide opportunities for individuals and groups to tour project areas. Both local and regional stakeholders are likely to express an interest in project activities and specific opportunities need to be established so that public interests can be satisfied without disrupting project activities.

Key Element #3.

EPA Must Provide the Public with Opportunities for Both Shared and Active Learning about the Project.

Providing project information in written form is important but will provide a limited learning opportunity for the public. People require interactive, hands-on approaches to learning if they are to really understand the project. Creating opportunities for bringing people together to learn about the project will greatly reduce misunderstanding and frustration as the project proceeds.

Key Element #4.

EPA Must Provide the Public with regular access to EPA and other Project Personnel.

The public has clearly expressed its desire to have direct access to EPA and its contractors in informal settings. Providing these opportunities for dialogue will greatly serve the public in meeting their information needs, addressing their concerns, and helping to provide the level of interaction that is necessary to build and maintain trust.

RECOMMENDATIONS FOR IMPLEMENTING **ELEMENT #3**

- EPA should host open houses and workshops at key junctures in the project to prepare the public for what is coming up. Emphasis should be placed on displays, demonstrations and other forms of public interaction.
- EPA should consider demonstrations of field activities to show how equipment will work and activities will be performed.
- EPA should explore opportunities to work with local educators and students to provide classrooms with project information and assist them in developing educational projects related to the PCB dredging and related environmental issues. Focus should be placed on creating cost-effective ways to provide educators with the information

RECOMMENDATIONS FOR IMPLEMENTING **ELEMENT #4**

- EPA should create and publicize a regular schedule of monthly "drop in" hours at the EPA field office in Ft. Edwards. A mix of daytime and evening hours should be included for these events, so that community members are able to attend outside of normal working hours.
- EPA and its contractors should conduct frequent informal meetings and topic-specific meetings throughout the project area to discuss issues of concern to the community and to gather community input.
- EPA should try to hold its field office "drop in" hours in other communities throughout the project area, as public interest warrants. EPA should also hold periodic workshops, small group meetings, and availability sessions



in towns throughout the project area to coincide with different aspects of the project. By selecting four to five locales evenly spaced throughout the 200-mile site. EPA can provide access to stakeholders within about 25 miles of their homes and businesses.

- EPA should regularly coordinate with and attend meetings of local groups that have identified the Hudson River PCBs dredging project as a focus of their organization.
- EPA should develop and maintain a roster of all advisory panels, citizens groups, and other organizations with an interest in the Hudson River project. Groups should be able to register with EPA their interest in the Hudson River PCBs dredging project through either a toll free telephone number or via email. The roster should include high school and other youth groups that are interested in the project.
- EPA should assign an EPA liaison to those groups that have been formed specifically to work on Hudson River PCB issues or that are following the project on a regular basis. The liaison will stay up to date on the group's concerns and issues related to the project, provide an EPA point-of-contact for those groups, and coordinate EPA attendance at meetings when requested.
- To the extent possible, EPA should personally contact homeowners and businesses that are most likely to be directly affected by project activities prior to the beginning of those activities. Geographic mailings could be used as well as personal visits or briefings at existing community meetings. These visits will provide an opportunity for EPA to describe upcoming activities and listen to and address individual concerns.

Key Element #5.

EPA Must Provide the Public with Forums for Dialogue about Key Issues and the Opportunity to Explore Areas of Community Consensus.

The public has clearly expressed its desire to have direct access to EPA and its contractor staff in informal dialogue forums. Providing this level of access will greatly serve the public in meeting their information needs, addressing their concerns, and will help to provide the level of interaction that is necessary to lessen public frustration.

RECOMMENDATIONS FOR IMPLEMENTING **ELEMENT #5**

An efficient way to implement this element is to create some form of stakeholder advisory group. Initially, the MNG Team was reluctant to recommend a new advisory group. There are already a number of other groups in existence including those formed by the Governor, Representative Sweeney, and the Supervisors of both Washington and Saratoga County. They serve a variety of purposes with regard to the PCBs project, though none were convened by EPA specifically to seek public input. Attending and coordinating with these groups already places a strain on EPA resources and an additional group will only add to that strain. However, participants at the second workshop clearly expressed a desire for a working group that could address the challenging issues facing EPA and that would have direct input to EPA. Also, the boards that do exist were not convened with a specific mission to provide EPA with input from the broad range of public that are interested in the Hudson River project.

As a result, the MNG team recommends that a Community Advisory Group be formed for the project. We believe that a well-formed advisory group will provide a useful format for constructive dialogue about the issues that are most important to the community. We believe that many of the communications issues identified in the Stage 1 Report could be addressed by creating a forum for dialogue in which community members can not only learn about project issues, but also learn about each other's concerns and gain a shared understanding of the full spectrum of issues to be resolved. This is the greatest advantage that a Community Advisory Group could offer.

The decision to form an advisory group should not be taken lightly. A Community Advisory Group does not replace other forms of community involvement. It should be used to augment the other activities that are recommended in this report.

In forming an advisory group to achieve the level of dialogue warranted by this complex and controversial project, it is essential that its goals and activities are clear and the basic criteria outlined below can be achieved.

• The community must be directly involved in **Community Advisory Group formation and operation.** It is critical that the community is provided a feeling of ownership with regard to the Community Advisory Group. The most effective way to achieve this is to involve the community in the formation of the group, or at least to consult with them at each step in the process.

- The Community Advisory Group must be inclusive and provide a balanced voice of the community. The credibility of a Community Advisory Group rests on its ability to represent the broad range of stakeholder interests in the Hudson River project. The public at large must be able to look to the group as representative of the full community. The Community Advisory Group as a whole must be able to consider all aspects of issues without a pre-existing bias toward a particular outcome. In addition, EPA needs to be confident that the input from Community Advisory Group has been developed in consideration of the interests of the entire community.
- The Community Advisory Group must have a clear mission. It is essential that the group clearly understand its role in the project and that its role is meaningful. EPA must commit to give full consideration to input from the group within the group's mission. An advisory group should not be developed if there is not a clear opportunity for it to provide meaningful and useful input to key issues for which EPA is willing to give full consideration. EPA should provide the parameters of input and the group should be directly involved in defining its mission within the parameters established by EPA. The role of the advisory board should be to address specific questions and issues that have been identified by EPA in which it is seeking public input. The advisory group could also be used as a sounding board for planning other community involvement activities.
- The process by which the Community
 Advisory Group fulfills its mission must be
 both open and responsive to community
 needs and interests. The simplest way to
 achieve this is to ensure that all Community
 Advisory Group meetings are open to the public,
 well advertised, and address the issues and
 concerns of the local community.
- The Community Advisory Group must have access to independent technical and facilitation support. Ideally, Community Advisory Group meetings should be facilitated by a neutral third party to ensure that participants do not feel that they are being pushed in one direction or the other. A process for providing the group with accurate and timely information is also essential. Access to outside technical assistance is useful in establishing public trust in the information being presented.

 A Community Advisory Group does not replace other forms of community involvement.

Although an advisory group can provide a very important and effective component of community involvement, it does not replace the need to provide public information and input opportunities as described in other elements above.

FORMING A CITIZENS ADVISORY GROUP

A Community Advisory Group (CAG) should provide EPA with a regular way to discuss issues and ideas and receive feedback from a knowledgeable and committed group of stakeholders representing a broad range of interest groups. Specific recommendations and considerations for forming such a group are provided below.

Mission

A clear and specific mission for the group is essential. The general mission of the Community Advisory Group should be to provide direct input to EPA regarding the implementation of the decision made in the February 2002 Record of Decision to dredge portions of the Hudson River. However, the public will not have an opportunity for direct input on all aspects of the project. EPA must identify the specific questions or issues it wishes the group to address. The group should then prioritize these issues and identify a process to address them. The advisory group should also serve as a sounding board for project issues, community involvement activities, and to provide direction for reaching out to the community at large.

Membership

The Community Advisory Group should be representative of the broad range of interests on the Hudson River project. The following organizational guidelines are suggested:

- Individual seats should not be assigned to specific organizations. While it is important that the overall membership of the CAG is representative of the diverse interests and viewpoints of stakeholders concerned about the Hudson River, individual members should be free to participate in an open-minded and collaborative atmosphere.
- Membership should be focused on residents and members of interest groups and not on elected government officials, since these officials already have direct access to EPA and EPA actively attends a variety of meetings convened by these officials. However, government officials should be asked to help identify members of the committee.

- A majority of the members should be selected from along the portion of the river that will be most affected by the dredging. However, the committee should also include representatives from down river areas.
- Members should be selected to represent specific interests along the Hudson River.
- Some members should be selected to represent the general population of communities along the Hudson River. These members should have a strong interest in the dredging project and in their community but should not have taken a leadership position in support of, or opposition to dredging.
- For each interest on the committee, a member and an alternate should be identified. Alternates will have the responsibility of staying informed regarding the CAG's work, attending meetings when the member cannot attend, and joining the group should the member not be able to fulfill his or her term.
- Terms of membership should be one or two years and should be renewable. First terms should be staggered randomly with half the members having one-year terms and half having two-year terms to avoid complete turnover of the CAG. The process for identifying and appointing replacement members of the CAG should be the responsibility of the CAG, once established, in consultation with EPA.
- Representatives from EPA, other agencies, political leaders, and GE, should participate actively in advisory group activities. It is important that group dialogue include all perspectives, information, and constraints on the process.

Individual members should be made aware of the following expectations before they agree to participate:

- Willingness to work in a collaborative environment and refrain from personal challenges against other members,
- Ability to attend monthly meetings of the CAG, other related events, and to read all preparatory materials (approximately 10 hours per month),
- Willingness to work within the mission of the CAG,

- Willingness to work with an independent facilitator in a collaborative process,
- Willingness to participate in a team-building event at the creation of the CAG and annual planning retreats thereafter, and
- Willingness to convey information from the CAG to their constituents in an honest and timely fashion.

Chairperson

CAGs work best with a Chair who is committed to assisting the group achieve its mission by leading the group impartially through the complex and controversial discussions likely to be held. An ideal chairperson would have the following characteristics:

- General knowledge of Hudson River dredging issues and an ability to understand and communicate complex technical and policy issues to assist in organizing group discussion;
- Experience in working in diverse, multi-party dialogue;
- No history of strong support or opposition to the EPA dredging decision;
- No direct alliance with groups with a history of strong support or opposition to the EPA dredging decision;
- Resident of a Hudson River Valley community; and
- Willingness to devote the time necessary to serve as chairperson (approximately 20 hours per month, more in the formational months).

Candidates could include members of academia, retired public officials, and other well-respected members of the community.

Ideally, a Chair would be identified at the beginning of the process. However, the MNG Team recognizes the need to convene the CAG as soon as possible. As such, the decision of how to identify an appropriate Chair might be best presented for the CAG's consideration as part of their organizational activities.

Convening

Convening the CAG should be handled in an open and respectful manner and the process for selecting CAG members should be presented to the public before any members are recruited. EPA should use an interest-based membership approach whose goal is to ensure that the overall member-



ship represents the wide variety of interests on this project while not guaranteeing individual seats to specific organizations. There are many interested parties who are suspicious of bias on all sides, and membership to the CAG could be viewed as an endorsement of one group's validity over another. EPA needs to recognize that it is not possible to provide seats at the table for all of the individuals and groups who would like to participate, making interest-based membership even more crucial.

EPA should not act as the sole convener of the Community Advisory Group, but rather should use an independent convening process that engages local organizations and officials that are interested in the Hudson River PCBs project. EPA should ask relevant individuals and organizations recommend members and alternates for each interest group (see Figure 1). In inviting these groups to act as conveners, EPA should identify the following convening ground rules:

- All prospective members must be made aware of the proposed mission and membership expectations of the CAG and be willing to abide by them.
- For local resident members, identify an active member of the community with an interest in fairly representing the broad range or interests in their community. Consideration should be given to individuals who do not have a history of strong support of or opposition to dredging and can view issues with an open mind.
- For interest-based members, identify an individual who will fairly represent the broad range of issues and concerns held by that interest group while also be willing to serve with an open mind and collaborative spirit. Once appointed, membership will be individual and not assigned to specific organizations.
- Elected officials acting as conveners are encouraged to refrain from nominating themselves or another elected official.

Figure 1. Potential Interests and Convening Organizations for Hudson River Citizens Advisory Group

MEMBERSHIP CATEGORY EXAMPLE OF A CONVENING GROUP

Interest Groups

Agriculture	FAIR
Archaeology	New York State Historic Preservation Office
Boating	New York State Canal Corporation
Economic Development	Washington County Board of Supervisors
Environmental Justice	Arbor Hill Environmental Justice Corp.
Hudson River Environmental Protection	Friends of a Clean Hudson
Marinas/Yacht Basins	Saratoga County Board of Supervisors
Natural Resource Preservation	NYDEC
Organized Labor	Saratoga County AFL-CIO
Tourism	New York State Office of Parks,
	Recreation & Historical Preservation
Albany County Shoreline Resident	Albany County Executive
Rensselaer County Shoreline Resident	Rensselaer County Executive
Saratoga County Shoreline Resident	Saratoga County Board of Supervisors
Washington County Shoreline Residen	tWashington County Board of Supervisors
Sport Fishing	New York State Office of Parks,
	Recreation & Historical Preservation
Upriver Community Organizations (2-3)	CEASE, Hudson River CARE
Water Treatment Plants	American Water Works Association

Local Residents not Previously Aligned

Ft. Edward	Local	elected	official
Moreau	Local	elected	official
Schuylerville	Local	elected	official
Stillwater	Local	elected	official
Mechanicville	Local	elected	official
Waterford	Local	elected	official
Troy	Local	elected	official
Poughkeepsie	Local	elected	official
Albany	Local	elected	official

Project-Related Members

U.S. EPA

New York Department of Environmental Conservation

New York State Health Department

New York State Canal Corporation

U.S. Army Corps of Engineers

U.S. Representatives

General Flectric

Committee Ground Rules

EPA should convene the CAG to meet specific project needs for community involvement. EPA should clearly identify the constraints to the mission of the CAG in keeping with the scope of the community involvement program as noted in the community involvement plan. The committee itself must also be involved in defining its focus and expectations. It is anticipated that the first meeting of the CAG would be a one to two-day team-building and organizational meeting at which the mission, focus, and ground rules of the committee will be discussed. These ground rules should be captured and agreed to by the members to provide a foundation for future meetings.

Subcommittees and Working Groups

Because this project spans a large geographic area and will include a wide variety of activities, subcommittees and working groups may be used to discuss some issues which are either too detailed or limited in scope be effectively handled by the full group. Working groups should be led by members of the CAG and could be open to individuals who are not CAG members. Working groups are intended to be exploratory in nature and should present their findings and discussions to the CAG for full group discussion. Subcommittees could also be asked by the group to develop recommendations or statements of principals for CAG review and approval. As the need arises, EPA and the CAG should work cooperatively to discuss the formation of subcommittees and working groups.

Meeting Schedule

Meetings should be held on a monthly basis, to ensure all parties are up-to-date on the project and that input is received in a timely basis. Meetings should be held on a day and time to accommodate the greatest number of members. Bimonthly and special meetings may be needed in the early months and to address certain issues. Later in the project, meetings may be held less frequently as project needs dictate.

Meeting Facilitation

The CAG meetings should be managed by an experienced facilitator, independent of EPA, GE, and the project contractor. The CAG should be confident that the facilitator performs his or her role in an objective manner, without a stake in the outcome of discussions. EPA should contract with a facilitator who is acceptable to the CAG.

Meeting Format

All CAG meetings should be well publicized and open to the public. Meetings could begin with a public information session, in which EPA, GE, and project contractors provide updated displays and answer questions regarding project progress. This time can also be used for dialogue between CAG members and other community members. CAG meetings should be two to three hours long to allow for presentations, discussion, subcommittee and working group reports, and recommendation development. Opportunities for public comment should be provided at each CAG meeting so that any additional public input on issues under discussion can be heard.

CAG Decision Making Process

The CAG will be an advisory, not a decision making, body. The CAG may wish to develop recommendations or statements of principle or simply provide input and feedback depending on the issue. The CAG should use a facilitated dialogue process in these cases, where each member strives to find solutions that all members can support. Strict voting should be discouraged as it perpetuates the sense of winners and losers and prevents effective collaboration. Depending on the issue, the CAG can develop a shared opinion, multiple position papers, or majority and minority positions to assist EPA in its decision making, so that all members have an opportunity to share their opinions.

Coordination with Other Project Boards

It is important that CAG members are aware of the actions of other groups in the community. The CAG should explore with other boards opportunities to share information or work together toward common objectives and to limit duplication of effort.

Key Element #6.

EPA must provide the public with the opportunity to give informed and meaningful input on issues of direct impact to their community and provide direct feedback on how that input was used.

EPA must get information to the public in time for people to review and digest the information before providing input. EPA must provide varied opportunities for providing input to meet the needs of a broad range of individuals.

- EPA should commit to a project schedule that makes rigorous and meaningful public involvement possible for those issues that are most important to the public. EPA should ensure that the public has adequate time and opportunity to provide input and that EPA has adequate time to consider that input before final decisions are made.
- EPA should graphically portray the project schedule in a way that clearly demonstrates the timing and coordination of activities and decisions that are important to the public and identifies opportunities for public input.
- EPA should provide notice of meetings, events, and opportunities for input at least two weeks in advance of the event.
- EPA should seek to understand, respect and give full consideration to public input. EPA should demonstrate that it has heard this input and identify where it has been incorporated into the decision making process. This does not mean that EPA will adopt all opinions and recommendations, but will explain how the input was used (or not used) in the decisions that are made. Though formal respon-



siveness summaries will not be prepared, EPA should take advantage of the many avenues of communication that will be developed to directly respond to public issues promptly.

Key Element #7.

EPA must ensure that community involvement is incorporated as a fundamental component of the dredging project.

Community involvement is not just the responsibility of the EPA community relations staff but requires action on the part of all project staff and all responsible organizations. EPA needs to ensure that all parties understand the purpose and importance of community involvement so that public information is adequately developed and public input is given full consideration in decision-making.

- EPA should explore opportunities for shared training or awareness among all staff on the role of community involvement as an integral part of the Hudson River project.
- To ensure that it is achieving its community involvement goals, EPA should implement an evaluation process that will assess the public's perspective of how well EPA is achieving these goals. EPA should administer short evaluations at public events for the project and periodically include evaluation forms with its written communications. By staying in contact with the public as recommended in various elements above, EPA will be able to ask the public directly for input on its community involvement efforts. Should EPA choose to implement a CAG, one of the CAG's roles could also be to provide EPA ongoing input on the effectiveness of its community relations program.

5.0 Conclusion

The MNG Team is looking forward to EPA's implementation of community involvement activities on the Hudson River. Our experience in meeting EPA project staff and Hudson River stakeholders was extremely positive, and we enjoyed our time spent in wrangling over the right set of recommendations for this project.

We recognize that community involvement is far less complicated than the environmental challenges faced in dredging the Hudson. However, designing and implementing an effective community involvement program will require a great deal of skill, commitment and patience. The foundation of all good community relations is creating the solid information needed to understand the project and the genuine dialogue needed to understand each other. We hope that our recommendations provide EPA with the insight needed to move forward in a productive manner and that the stakeholders will commit to work effectively with EPA on this extremely complex and interesting project.



APPENDIX A

Results of Public Workshop I

July 15, 2002, Schuylerville, NY

Results of Public Workshop I

Workshop on Developing the Hudson River Dredging **Project Community Involvement Plan**

Overview

On July 15, 2002 the Marasco Newton Group (MNG) public participation team conducted a workshop to discuss the development of EPA's community involvement plan for the Hudson River dredging project. The meeting was held at the Schuylerville High School from 6:00- 9:00pm. The purpose of the workshop was to move from the stage one report, which was an assemblage of individual perspectives, toward a collective vision regarding community involvement in the Hudson River dredging project. Input from this workshop will help form the elements of a draft EPA Community Involvement Plan (CIP).

The MNG Team outlined the following objectives for the workshop:

- · Receive feedback on the stage one report and ensure that people's concerns were correctly captured and additional viewpoints were heard.
- Develop key elements of the CIP including guiding principles, involvement and communication methods, information needs, and other critical elements of the CIP.

The MNG Team developed summary sheets on guiding principles for the CIP, involvement and communication methods, and community information needs based on information gathered during the interviews. These materials were mailed out one week prior to the meeting to potential participants.

The workshop was open to the public. The MNG Team contacted all stakeholders who were interviewed for the stage one report, advertised the meeting in local papers, and placed an announcement to the EPA list serve. The Team included an announcement of the meeting to all recipients of the Stage 1 Report. In addition, an e-mail message was sent to all individuals that provided an e-mail address, as well as everyone that responded to a request for comments on the initial report. MNG placed ads announcing the meeting in Schuylerville Shopper, the Troy Record, and the Glens Falls Post Star and posted an announcement on EPA's Hudson River list serve. Approximately 60 people attended the workshop.

Overview and Agenda Review

The meeting began with an overview of the meeting's purpose, desired outcomes, agenda, and ground rules. Each of the handouts were discussed and the process by which the team would solicit comments on the stage one report was reviewed. The facilitation team identified EPA staff, contractors, and General Electric representatives for the audience. The Team thanked the mayor of Schuylerville for his assistance in securing the meeting space and then provided the group with a brief overview of the steps toward developing EPA's community involvement plan. A chart of these steps is included in appendix 2.

Stage One Report

Discussion of the stage one report was conducted in a plenary session. The facilitator explained the key goals of the report and solicited impressions on whether the team accurately captured all stakeholder issues and suggestions. The facilitator also acknowledged that several comments have already been received via e-mail and the toll-free number and confirmed that this information would be incorporated into the revised report.

The following additions to the report were suggested:

- EPA should focus on providing closure with people who have questions;
- EPA needs to provide specific goals for cleanup activities, especially for resuspension, dredging rates, and fish consumption;
- EPA must monitor the success of cleanup activities especially as they relate to fish consumption; and
- EPA must allow time to consider community input.

Additional written comments were also collected and will be incorporated into the revised report.

Breakout Session Summary

After the brief plenary discussion on the stage one report, participants organized into three smaller groups to discuss the three fact sheets that had been prepared based on the initial round of interviews conducted with stakeholders and community members (see Attachment 1). These fact sheets outlined various parameters of the public involvement plan that would be developed, including: Communication and Information Methods, Participation and Input Methods, and Principles for Participation.

In each breakout session, participants were asked to review the fact sheets to see if any information needed to be added or deleted and to provide some sense of priority to the items listed. Below is a summary of the reactions



from each breakout group organized by fact sheet topic. Those comments that were raised under one fact sheet topic but pertained to another were moved under the appropriate fact sheet discussion.

Communications and Information

The breakout groups added the following suggestions for how to communicate or provide information about the project to stakeholders and communities:

- Develop displays for upcoming fairs and festivals (e.g., county fairs, Troy Riverfront Festival, etc.)
- Have EPA staff, including technical staff available in one-on-one settings. The group agreed that the Field Office may help in this area but recommended that EPA both respond to invitations but also conduct outreach.
- Participate in local group meetings (e.g., Kiwanis, Lions Club, etc. and smaller groups like 4-H, Scouts, etc.).
- Have real-time project monitoring and updates for the public.
- Include points of contact for any information products that are developed so that the public will know where to turn to get more information on a particular topic.

During these discussions, groups identified the following specific information needs:

- Develop a cleanup calendar so that people will know where the project is currently and where it is going.
- Develop a summary of the environmental impacts of the projects.
- Develop a fact sheet on Superfund.
- Have information on the effects of PCBs and incorporate this information into displays.
- Have clear information about when the public would have opportunities for meaningful input into project decisions.

Throughout the discussion, the group emphasized the importance of understanding who the target audience was and developing materials that were tailored to that audience, including making sure that technical information was conveyed

appropriately and in "plain English." They noted that various groups may have different information needs. For example, those that support the project may be more likely to accept information at face value, while those that are skeptical may require additional facts and supporting information to acknowledge the validity of information. Likewise, those that have worked closely with the project may need one type of information, while those that are new to the project or members of the general public may need another. Groups also emphasized the importance of allowing adequate time to review information that is provided, especially technical information.

When asked to discuss the relative priority of those items on the fact sheets and the ones discussed, the following comments were made:

- Although one group agreed that the media was an important mechanism for getting information out to the public, they recognized that information conveyed through the media is not always accurate and sometimes does not reach the appropriate people and can be an expensive vehicle.
- Groups felt that the information preparation process is an important activity. However, they observed that any group that would be convened to develop or provide input to these materials would hold a powerful position and that this should be approached with caution. One group stressed the importance of information being fact based. The public needs real, detailed information that is clear. Any opinions should be noted and the sources of the information should be documented.
- Groups felt that updates, fact sheets, photos, maps, tours, Web site postings, and technical reports and summaries were also of high priority.
- The group also identified workshops and availability sessions as being of high priority, especially when developing plans and after the project begins.
- One group mentioned that generic videos probably were not that helpful and cautioned that EPA should not try to "sell" the project through such mechanisms and avoid creating misleading impressions from the information.

Participation and Input Methods

The only addition that breakout groups made to the listing of input methods was to suggest that some statement about having a consistent process for input, including regularly scheduled meetings would be helpful.



When asked to prioritize the items on the list, the groups made the following comments:

- Participants stated that access to EPA technical staff was very important and that more contact with these individuals was needed.
- Participants noted the importance of ensuring that everyone is part of the process and clearly defining what it means to "have a seat at the table." It was suggested that once the stakeholder groups are defined that have a seat at the table, these groups should be charged with selecting their own participants and confirming who the stakeholders are. Further, one group highlighted the importance of ensuring that the process was especially sensitive to those who would be directly impacted by the project without excluding others that are interested.
- One group also identified EPA liaisons as being an important mechanism for input.

All groups also identified advisory committees as being highly important, although recommendations about them were mixed. They all noted the need for resources to support the activities of these committees, including funding and technical experts. Some participants felt that another advisory group may not be warranted, while another noted that one advisory committee composed of people who are directly impacted by the project was more appropriate than multiple committees.

Those that favored establishing an advisory group noted that the group should have decision- making authority, although it was recognized that ultimately, EPA must have the final decision- making authority under the law. It was suggested that this group might be selected by the community to serve as a liaison with EPA and GE and that one if its first jobs should be to review the sampling plan.

In a related comment, one group recommended having a pool of technical experts to draw from to "translate" information that EPA provided. Groups noted that universities, schools and farmers could serve as valuable technical resources.

Principles of Participation

Participants added the following principles to the existing list:

• The processes should be efficient. It was noted that EPA could not do everything, so public involvement efforts should be targeted to get

the best input in the most appropriate way to make the best use of available resources.

- The process must be productive. This meant that the public should know their input is considered, even if it is not implemented.
- Add timeliness as a component of the principle of "meaningful" participation.
- Ensure that the public has some say in what issues are the important ones.
- Ensure that the public has the ability to be directly involved in the processes that are developed.
- Related to transparency, the group emphasized the importance of EPA being clear about what is public and what can't be public and what its constraints are in a particular situation.
- Regarding flexibility, one group recommended that the decision-making process and timing of the project should be flexible to respond to public input.
- Regarding responsiveness, groups stressed the importance of getting feedback from EPA on the input they receive from stakeholders. Even if an individual or group expressed an opinion or recommended a decision that was not chosen, it was important for participants to hear back as to the rationale for the decision selected and how their input was considered. This is critical for achieving better understanding of the project and for helping stakeholders get closure on issues. Questions raised in groups specifically were: What input will trigger a response by EPA? Will the public have real decision-making ability? What opportunities will the community have to impact the process?
- One group recommended that participation should be respectful, where other opinions are considered and heard, and parties are willing to admit mistakes, when appropriate.

Participants also stressed the importance of evaluation throughout the process to ensure that the public participation process is actually fulfilling these principles. Agreeing that the processes should be flexible, the group recommended that these evaluations should be able to result in adjustments to the process, when needed.

Finally, one group emphasized the importance of EPA understanding the bigger picture of impacts and the reality of these impacts in its assessment of decisions. There is a canal culture that needs to be understood – it is not just a waterway but a way of life and a business for many.

Project Design Activities and Community Information Needs

The group re-convened to discuss community information needs over the next six months. David Kluesner and Bill McCabe from EPA began the discussion by reviewing the activities that have taken place since the signing of the ROD, and discussing the additions to their project team and the status of GE negotiations. David Kluesner stated EPA's desire to hold availability sessions on August 1st to answer community questions, discuss proposed sediment sampling activities this season, and communicate any information regarding negotiations with GE. The EPA team answered some questions including the desire for information typically found in an EIS. Bill McCabe responded by saying that this technical information was developed in the RI/FS, which was done in lieu of an EIS. EPA offered to help locate the information in question. Bill McCabe was also asked where the community could find information on specific statutory requirements, and he mentioned several web sites where the information might be available.

The facilitator solicited information on the community's needs over the next few months. The following were identified:

- Technical assistance for communities to hire their own technical experts. EPA mentioned possible options including TOSC funds and agreed to provide more information.
- Assurance that municipal water supplies would not be adversely affected by dredging operations;
- Additional time to react and comment on EPA project information; and

Next Steps and Closing Remarks

The meeting concluded by asking the community whether they thought the meeting was worthwhile and whether the Team should conduct a second meeting focusing on specific components of a community involvement plan such as facility siting and quality of life performance standards. There was some confusion between this meeting and the availability sessions that EPA would hold on August 1st. The group was split on whether to hold a second meeting, and the MNG Team said they would discuss it further with members of the community.





APPENDIX B

MNG Team Members

Stage 1 Team Members

Stakeholder Interviews

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The Marasco Newton Group, Arlington, Virginia

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Stage 2 Team Members

Stakeholder Workshops and Community Involvement Recommendations

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